

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
Marshall Division**

ASSOCIATED RECOVERY, LLC,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Case No. 2:16-cv-00126-JRG-RSP
)	
LINDA BUTCHER <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	
_____)	

**MOTION FOR EXTENSION OF TIME
TO COMPLETE SERVICE AND FOR SUBSTITUTE SERVICE**

Plaintiff Associated Recovery, LLC (“Associated Recovery”), by its counsel, asks this Court for an order granting an extension of time to complete service of process and for substitute service.

This firm is the primary counsel in the co-pending case filed in the Eastern District of Virginia, Civil Action No. 1:15-cv-1723 (AJF-JFA) (E.D. Va.), now transferred to the Northern District of Texas, Civil Action No. 3:16-cv-01025 (N.D. Tex.). We coordinated with the two original attorneys for this present case before this Court. We did not anticipate having a substantive role in this case before the Eastern District of Texas.

The withdrawal of the previous counsel is unfortunate. Associated Recovery had difficulties communicating with the previous counsel before their dismissal. This firm was asked to assist in the service of the original complaint when this firm learned that summons had not been requested by the previous counsel.

When this firm learned that summons had not been requested, a member of this firm was required to enter an appearance in this matter in order to request the summons. The previous counsel argued that this appearance was a “substitution of counsel,” thereby justifying their withdrawal from this matter.

This firm immediately began working with Associated Recovery in May to amend the complaint. The desired amendments were unwieldy and, after three weeks of effort, were set aside.

The senior members of this firm in June then began to amend the original complaint so as to correct numerous errors, particularly in identifying the defendants, their corporate status and location, and their resident agents. This effort required significant portions of fourteen days of work involving three attorneys. The Amended Complaint was filed in this Court on June 16, 2016. Service on the Defendants is being aggressively pursued. The Plaintiff requests a fourteen-day extension of time through and including July 6, 2016, to complete personal service where such service is possible.

The nature of registrants of Internet domain names is such that the identifiable names and/or addresses of registrants are fictitious, incorrect, or held by “proxy services” or cloaking services.” Associated Recovery, after diligent investigations, is certain that numerous Defendants cannot be correctly identified or located. Additionally, at least three Defendants are non-U.S. residents. For these reasons, Associated Recovery requests that this Court issue an order granting Associated Recovery permission to serve certain U.S. Defendants, who cannot be served by personal service, by alternative service including e-mail and through the Secretary of State, and non-U.S. Defendants by e-mail and air mail.

Associated Recovery anticipates initiating an *in rem* action against the domain names held by registrants who cannot be served with personal service.

Respectfully submitted,

/s/ Luiz Felipe Oliveira
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